

rate or depart therefrom upon any Pretence whatever, without Order or Leave for that Purpose from the Officer having the Command of such Convoy.

If a Master fails without Convoy, or separates from it without Leave, he shall forfeit 1000*l.*; and if any Part of the Cargo be Naval or Military Stores, 1500*l.*

III. And be it further enacted, That if any Master or other Person, having the Charge or Command of any such Ship or Vessel which by this Act is required not to sail or depart without Convoy, shall, contrary to the Directions contained in this Act, sail or depart from any Port or Place whatever (except as herein-after is provided), without such Convoy as shall be appointed for that Purpose, or shall afterwards desert or wilfully separate or depart from such Convoy without Leave obtained from the Captain or other Officer in His Majesty's Navy, entrusted with the Charge of such Convoy, before such Ship or Vessel shall have arrived at the Port or Place of her Destination, or so far on her Voyage as such Convoy shall be directed to accompany and protect such Ship or Vessel, every such Master or other Person, having the Charge or Command of such Ship or Vessel, shall forfeit, for every such Offence, the Sum of One thousand Pounds; and in case the Whole or any Part of the Cargo of any such Ship or Vessel shall consist of Naval or Military Stores, every Master or other Person, having the Charge or Command of such Ship or Vessel so laden with Naval or Military Stores, who shall sail or depart without such Convoy as aforesaid, or shall afterwards desert or wilfully separate or depart from such Convoy, without Leave obtained as aforesaid, shall forfeit, for every such Offence, the Sum of One thousand five hundred Pounds: Provided nevertheless, that it shall be lawful for the Court, out of which the Record for the Trial of any Action or Suit for the Recovery of any such Penalty shall issue, to mitigate or lessen the same as the said Court in their Discretion shall think fit, having Regard to the Circumstances of the Case and the Value of the Ship and Cargo, so as by such Mitigation the Penalty be made not less than Fifty Pounds.

Penalty may be mitigated.

If a Vessel fails without Convoy, or separates from it without Leave, the Insurance shall be void with respect to the Property of the Master or any Person interested who is privy to the Offence; and if any Person shall effect a Settlement thereon, or allow any Money on Account of Loss, he shall forfeit 200*l.*

IV. And be it further enacted, That in case any such Ship or Vessel shall sail or depart without Convoy, or shall afterwards desert or wilfully separate or depart from such Convoy, contrary to the Provisions of this Act, every Policy of Insurance or Contract or Agreement for any Insurance upon such Ship or Vessel, or upon any Goods, Wares, or Merchandize laden or to be laden on board thereof, or upon any Property, Freight, or other Interest arising out of the same, whereon Insurances may lawfully be made, (and which shall be the Property of the Master or other Person having the Charge or Command of such Ship or Vessel so sailing without Convoy, or wilfully quitting the same, or of any Person interested in such Ship or Vessel or Cargo, who shall have directed or have been any Way privy to or instrumental in causing such Ship or Vessel to sail without Convoy, or wilfully separating therefrom), shall be null and void to all Intents and Purposes both at Law and in Equity; any Contract or Agreement to the contrary notwithstanding; and that nothing shall be recovered thereon by the assured for Loss or Damage, or for the Premium or Consideration in the Nature of a Premium which shall have been given for such Insurance; and if any Party to such Insurance, his, her, or their Executors or Administrators, any Broker, Agent, or other Person, shall knowingly make or effect, or procure to be made or effected, or shall negotiate or transact any Settlement upon such Insurance, or pay or allow in Account, or agree to pay or allow in Account or otherwise, any Sum or

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